

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the DISTRICT OF NEW JERSEY

JEFFREY MARCUS, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff

v.

BMW OF NORTH AMERICA, LLC AND

BRIDGESTONE FIRESTONE NORTH AMERICAN
TIRE, LLC, Defendants.

Civil Action No.

Summons in a Civil Action

To: (Defendant's name and address)

BMW of North America, LLC
300 Chestnut Ridge Road
Woodcliff Lake, New Jersey 07677

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Abbey Spanier Rodd & Abrams, LLP
212 East 39th Street
New York, New York 10016
Karin E. Fisch, Esq.
Orin Kurtz, Esq.

McLaughlin & Stern, LLP
260 Madison Avenue
New York, New York 10016
Alan E. Sash, Esq.

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Name of clerk of court

Date: _____

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

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Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____,
by:

(1) personally delivering a copy of each to the individual at this place, _____;
_____ ; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is
_____ ; or

(4) returning the summons unexecuted to the court clerk on _____ ; or

(5) other (*specify*) _____

_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

Date: _____

Server's signature

Printed name and title

Server's address